

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING**

**PATENT**

ATTORNEY DOCKET No. 27459-803/080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MOURA et al.

Serial No.: 08/697,080

Filed : August 20, 1996

For: HYBRID ACCESS SYSTEM  
EMPLOYING ACKNOWLEDGMENT  
SUPPRESSION



)  
) Group Art Unit: 2603  
)  
) Examiner: HOM, S.  
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1. Petition under 37 CFR § 1.48 (a); and
2. Petition under 37 CFR § 1.48 (b)

October 15, 1998/JDJ

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INFORMATION FROM LITIGATION OF  
PATENT ISSUING FROM PARENT APPLICATION

August 7, 1998/JDJ

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October 15, 1998/JDJ

PATENT  
ATTORNEY DOCKET No. 27459-803/080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:	)	
	)	
MOURA et al.	)	Group Art Unit: 2603
	)	
Application No. 08/697,080	)	Examiners: Hom & Olms
	)	
Filed: August 20, 1996	)	
	)	
For: HYBRID ACCESS SYSTEM	)	
EMPLOYING ACKNOWLEDGMENT	)	
SUPPRESSION	)	
(Retitled)	)	
	)	
Assignee: Hybrid Networks, Inc.	)	

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

PETITION TO DELETE INVENTORS UNDER 37 CFR § 1.48 (b) FOR  
APPLICATION AS AMENDED

A Petition to Add Inventors under 37 CFR § 1.48 (a) is being filed jointly with the instant petition. The five inventors currently named in the Petition under § 1.48 (a) constitute the correct inventive entity for the instant application as originally filed. Because of amendments to the claims, "fewer than all of the currently named inventors are [now] the actual inventors of the

invention being claimed" in the instant application. Thus, applicants and assignee respectfully petition to delete Frederick Enns and Robert A. Luxenberg, who contributed to features not currently claimed in the instant application. The correct inventive entity for the allowed claims in the instant application is:

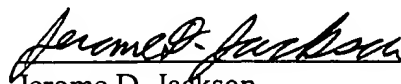
Eduardo J. Moura,  
Jan M. Gronski, and  
Robert L. Packer.

Applicants request that Deposit Account No. 06-0115, of Farkas & Manelli, PLLC, be charged \$130.00, to cover the petition fee required by 37 CFR §§ 1.48(b)(2) and 1.17 (i).

If there are any other fees required for consideration of this document, or for any other reason, please charge such fees to the Farkas & Manelli, PLLC Deposit Account No. 06-0115.

Farkas & Manelli PLLC Deposit Account No. 06-0115.

Respectfully submitted,



Jerome D. Jackson

Reg. No. 33,186

Tel: (202) 639-1275

Fax: (202) 639-1299

10/15/98  
DATE

1101 Pennsylvania Ave., N.W.  
Suite 800  
Washington, DC 20004

PATENT  
ATTORNEY DOCKET No. 27459-803/080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: )  
 )  
MOURA et al. )  
 )  
Application No. 08/697,080 )  
 )  
Filed: August 20, 1996 )  
 )  
For: HYBRID ACCESS SYSTEM )  
EMPLOYING ACKNOWLEDGMENT )  
SUPPRESSION )  
 )

Honorable Commissioner of Patents  
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Washington, D.C. 20231

Sir:

CHANGE OF INVENTIVE ENTITY UNDER 37 CFR §§ 1.48 (a) and 1.48(b)

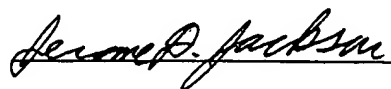
Enclosed are the following items for filing in this application:

1. Petition to Add Inventors under 37 CFR § 1.48 (a) for Application as Originally Filed.
2. Petition to Delete Inventors under 37 CFR § 1.48 (b) for Application as Amended.

If there are any fees required for submission of this document, please charge such fees to

Farkas & Manelli PLLC Deposit Account No. 06-0115.

Respectfully submitted,



Jerome D. Jackson  
Reg. No. 33,186  
Tel: (202) 639-1275  
Fax: (202) 639-1299

10/15/98

Date

1101 Pennsylvania Ave., N.W.  
Suite 800  
Washington, DC 20004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	) Group Art Unit: 2603
MOURA et al.	)
	) Examiner: HOM, S.
Serial No.: 08/697,080	)
	) Notice of
	) Allowance Mailed: November 14, 1997
Filed : August 20, 1996	) Batch No. U19
	)
	)
For: HYBRID ACCESS SYSTEM	)
EMPLOYING ACKNOWLEDGMENT	)
SUPPRESSION	)
(As Amended)	)

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

PETITION TO ADD INVENTORS UNDER 37 CFR § 1.48 (a) FOR  
APPLICATION AS ORIGINALLY FILED

37 CFR § 1.48 (a) - Addition of Inventors

The inventive entity set forth in the Declaration filed with this application was in error. Pursuant to 37 CFR § 1.48 (a) applicants request that the original inventive entity be amended by adding the following three inventors to this application: Frederick Enns, Robert L. Packer, and Robert A. Luxenberg. Thus, the amended and correct inventive entity for the application, as



originally filed on August 20, 1996, is the following five inventors: Eduardo J. Moura, Jan M. Gronski, Frederick Enns, Robert L. Packer, and Robert A. Luxenberg.

Applicants and assignee hereby petition for correction of the inventive entity as set forth in the amendment above.

Each of the undersigned inventors being added - Frederick Enns, Robert L. Packer, and Robert A. Luxenberg - states that the error occurred without deceptive intent on his part.

37 CFR § 1.48 (a) (2) - Declaration

Enclosed is a Declaration by the actual inventors, of the application as originally filed, as required by 37 CFR § 1.63.

37 CFR § 1.48 (a) (4) - Consent of Assignee

Assignee, Hybrid Network, Inc., through its undersigned Vice President, consents to the requested correction of the inventive entity.

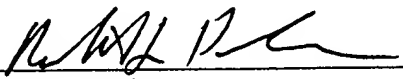
Conclusion

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Applicants request that Deposit Account No. 06-0115, of Farkas & Manelli, PLLC, be charged \$130.00, to cover the petition fee required by 37 CFR §§ 1.48(a)(3) and 1.17(i).

If there are any other fees required for consideration of this document, or for any other reason, please charge such fees to the Farkas & Manelli PLLC Deposit Account No. 06-0115.

Respectfully submitted,

  
\_\_\_\_\_  
Robert L. Packer

\_\_\_\_\_  
Frederick Enns, Personally

9/17/98  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Robert A. Luxenberg

\_\_\_\_\_  
Hybrid Networks, Inc.  
By: Frederick Enns, Vice President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jerome D. Jackson  
Reg. No. 33,186  
Tel: (202) 639-1275  
Fax: (202) 639-1299

\_\_\_\_\_  
Date

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If there are any other fees required for consideration of this document, or for any other reason, please charge such fees to the Farkas & Manelli PLLC Deposit Account No. 06-0115.

Respectfully submitted,

\_\_\_\_\_  
Robert L. Packer

\_\_\_\_\_  
Frederick Enns, Personally

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Robert A. Luxenberg

\_\_\_\_\_  
Hybrid Networks, Inc.  
By: Frederick Enns, Vice President

\_\_\_\_\_  
Date

9/17/98

\_\_\_\_\_  
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If there are any other fees required for consideration of this document, or for any other reason, please charge such fees to the Farkas & Manelli PLLC Deposit Account No. 06-0115.

Respectfully submitted,

\_\_\_\_\_  
Robert L. Packer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Robert A. Luxenberg

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frederick Enns, Personally

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hybrid Networks, Inc.  
By: Frederick Enns, Vice President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jerome D. Jackson  
Reg. No. 33,186  
Tel: (202) 639-1275  
Fax: (202) 639-1299

\_\_\_\_\_  
Date

1101 Pennsylvania Ave. N.W.  
Suite 800  
Washington, D.C. 20004

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled: ASYMMETRIC HYBRID ACCESS SYSTEM AND METHOD, the specification of which was filed on August 20, 1996 as Application Serial No. 08/697,080.

I hereby state that I have reviewed and understand that contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application or patent or inventor's certificate having a filing dated before that of the application of which priority is claimed:

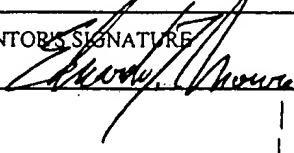
Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, in so far as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) that occurred between the filing date of the prior application and the national or PCT international filing dated of this application:

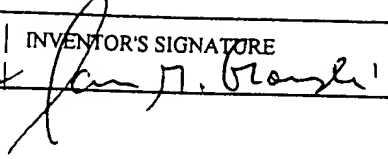
Application Number	Date of Filing	Status (patented, pending, abandoned)

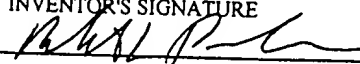
I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Lawrence Harbin, Reg. No. 27644, Farkas & Manelli, PLLC, 1233 20<sup>th</sup> Street, NW, Suite 700, Washington, DC 20036 whose telephone number is (202)778-1139 (to whom all communications are to be directed to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent).

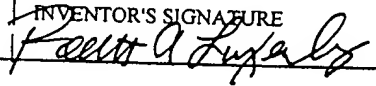
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

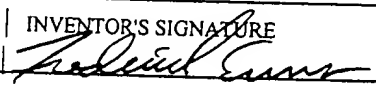
FULL NAME OF SOLE OR FIRST INVENTOR	INVENTOR'S SIGNATURE	DATE
EDUARDO J. MOURA		11/18/97
RESIDENCE		CITIZENSHIP
SAN JOSE, CA		US
POST OFFICE ADDRESS		
3509 MT. DAVIDSON COURT, SAN JOSE, CA 95124		

ADDITIONAL INVENTORS LISTED ON NEXT PAGE

FULL NAME OF SECOND INVENTOR	INVENTOR'S SIGNATURE	DATE
JAN MAKSYMILIAN GRONSKI		12/19/97
RESIDENCE		CITIZENSHIP
PALO ALTO		U.S.
POST OFFICE ADDRESS		
705 NEWELL ROAD, PALO ALTO, CA, 94503		

FULL NAME OF THIRD INVENTOR	INVENTOR'S SIGNATURE	DATE
ROBERT L. PACKER		11/17/1997
RESIDENCE		CITIZENSHIP
LOS GATOS, CA		U.S.
POST OFFICE ADDRESS		
16095 REDWOOD LODGE ROAD, LOS GATOS, CA 95030		

FULL NAME OF FOURTH INVENTOR	INVENTOR'S SIGNATURE	DATE
ROBERT A. LUXENBERG		11/18/1997
RESIDENCE		CITIZENSHIP
WOODSIDE, CA		U.S.
POST OFFICE ADDRESS		
156 ALTA VISTA ROAD, WOODSIDE, CA 94062		

FULL NAME OF FIFTH INVENTOR	INVENTOR'S SIGNATURE	DATE
FREDERICK ENNS		11/17/97
RESIDENCE		CITIZENSHIP
MENLO PARK, CA		U.S.
POST OFFICE ADDRESS		
545 HOBART STREET, MENLO PARK, CA 94025		